

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75139 of 2018

Arising Out of PS. Case No.-250 Year-2018 Thana- WARISNAGAR District- Samastipur

Rekha Devi, son of Sri Baidhnath Rai, Resident of village- Chaknur, P.S.
Mufassil, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Warisnagar P.S. Case No. 250 of 2018 registered for the offence punishable under Sections 363, 366, 366A/34 of the Indian Penal Code.

Informant is the father of victim, who has stated in his written complaint that on 04.09.2018 at about 6:00 PM his minor daughter Vaishnavi Kumari had gone to Kishanpur Bazar to purchase some articles, but thereafter she did not return and even after much search, she could not be located and he came to know that Pappu Kumar Rai has kidnapped her to solemnize marriage with her in which petitioner and other co-accused have assisted in getting them flee away. He also raised suspicion



against one Baidhnath Rai of Samastipur for getting her daughter flee away.

It has been submitted on behalf of petitioner that she is innocent and has been falsely implicated in this case. It has been further submitted that daughter of the informant had love affair with Pappu Kumar Rai and the informant was trying to settle the marriage with Pappu Kumar Rai, so she has been made accused simply because she was sister of Pappu Kumar Rai. Petitioner has no criminal antecedent and she is in custody since 11.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Warisnagar P.S. Case No. 250 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and her absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel her bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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